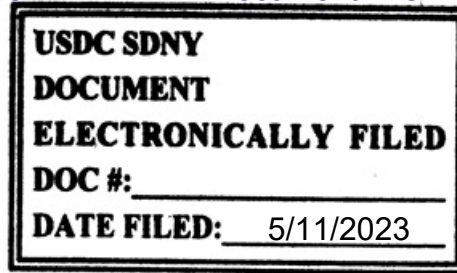


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Hon. Mary Kay Vyskocil, U.S.D.J.  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**VIA ECF**

May 1, 2023

**Re: *Mersen USA EP Corp. v. TDK Electronics Inc.*, 1:21-cv-00763 (MKV) (S.D.N.Y.)**

Dear Judge Vyskocil,

Pursuant to Section 9(B) of this Honorable Court's Individual Rules and Practices in Civil Cases (the "Individual Rules"), Defendant TDK Electronics Inc. ("TDK") requests permission to file under seal (1) its response letter to Plaintiff Mersen's letter seeking a pre-motion conference to move for sanctions (ECF No.110) and (2) certain accompanying exhibits.

The exhibits TDK requests to file under seal are deposition transcripts of non-party TDK (Zhuhai FTZ) Co. Ltd. ("Zhuhai") that counsel designated as "Attorneys' Eyes Only" under the parties' Confidentiality Stipulation and Protective Order (ECF No. 86) because the transcripts contain sensitive technical, financial and competitive information not generally known to third parties and which Zhuhai would not normally reveal to third parties. The specific exhibits that TDK and Zhuhai request be filed under seal are:

- Exhibit 5, Transcript of the Zhuhai Rule 30(b)(6) deposition of Dr. Wen Yang, held on March 31, 2023.
- Exhibit 8, Transcript of the deposition of Terry Tian (Zhuhai witness), held on February 16, 2023.
- Exhibit 9, Transcript of the continued Zhuhai Rule 30(b)(6) deposition of Dr. Wen Yang, held on April 11, 2023.

Further, TDK and Zhuhai move to seal only those portions of the response letter that discuss the substance of the above-referenced Zhuhai depositions. These proposed redactions are narrowly

This communication is confidential and may be privileged or otherwise protected by work product immunity.

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tailored in accordance with Section 9(B) of the Individual Rules so as to appropriately balance the need for confidentiality with the presumption of public access.

Thank you for your consideration.

Respectfully submitted,

/s/ Adam S. Lurie

Adam S. Lurie

Partner at Linklaters LLP

*Counsel for TDK Electronics Inc.*

cc: All Counsel of Record (via ECF)

Request granted.

SO ORDERED:

5/11/2023



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HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE